

European Communities

EUROPEAN PARLIAMENT

Working Documents

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Oral Question (O-59/74)

with debate pursuant to Rule 47 of the Rules of Procedure
by the Committee on Public Health and Environment
to the Council of the European Communities

Subject: Working procedures of the Committees on Implementing
Provisions

The Committee on Public Health and the Environment of the European Parliament has observed that despite repeated objections by the European Parliament, the working procedures of the Committees on Implementing Provisions (hereinafter referred to as 'committees') have been so arranged by the Council that, at least in practice, the powers of the Commission are undermined.

As is already known, the European Parliament's reservations on legal and constitutional grounds were not dispelled by the answer given by the President-in-Office of the Council, Mr De Koster, on 26 November 1969 to Oral Question No. 6/69 on the activities of the committees formed under secondary Community legislation.

The Council is therefore asked the following questions:

1. On what grounds did the Council feel authorized, under the committee procedure, to take the power of decision out of the Commission's hands and reserve the right of decision to itself if the opinion of the committee differs from the position taken by the Commission?

2. Is the Council aware that under this procedure the Commission is dependent on a favourable vote by the committee, whose members (officials of the Member States) have, over and above their purely advisory capacity, substantial powers of co-decision, thus weakening the position of the Commission?
3. Can the Council not also see the risk that under this procedure national self-interest will, in the long run, gain the upper hand over Community interests.
4. Does the Council not agree that it is encroaching on the executive powers of the Commission when it rules on differences of opinion between the Commission and officials of the Member States as it thinks fit?
5. Why does the Council reject consultation of the European Parliament in the event of the situation referred to in Question 4?
6. Is the Council aware that as a consequence of the weakening of the Commission's position, the European Parliament's powers of control over the European Executive and its opportunities to exercise them are also substantially reduced?
7. How can the Council explain the contradiction in its argument that its final decision on matters of vital interest to the Member States is essential, while maintaining that participation by Parliament is superfluous since only 'technical implementing provisions' are involved?
8. Does the Council consider:
 - that the transfer of powers from the Commission to the Council and to the committees, on the one hand, and
 - the by-passing of the European Parliament, on the other, brought about by the present committee procedure are compatible with the institutional balance provided for in the Treaties, and, if so, on what grounds?
9. In the light of the committee procedure it has laid down, what is the Council's view on the objection repeatedly made by the younger generation that the structures of the Community, which is made up of democratic Member States, are so opaque that decisions are never taken where they can be supervised, with the result that those responsible can never be identified?
10. Does the Council intend, despite the European Parliament's reservations, to maintain its position, or is it at least considering a solution which will go some way to accommodating the European Parliament's point of view?